

Tennessee Board of Nursing

RE PRACTICE: ADVISORY PRIVATE LETTER RULINGS

PURPOSE: The purpose of this policy is to protect the health and safety of the citizens of Tennessee and establish the process for submission of Requests for Advisory Private Letter Rulings

AUTHORITY: Tennessee Code Annotated 63-7-207 Powers and duties (of the Board)) The board has the following powers and duties in addition to the powers and duties granted to or imposed upon it by other sections of this chapter:

- (15) Issue advisory private letter rulings to any affected licensee who makes such a request regarding any matters within the board's primary jurisdiction. Such private letter ruling shall only affect the licensee making such inquiry, and shall have no precedential value for any other inquiry or future contested case to come before the board. Any dispute regarding a private letter ruling may, if the board chooses to do so, be resolved pursuant to the declaratory order provisions of § [4-5-223](#);

POLICY

All proper Requests for an Advisory Private Letter Ruling must be received at the Board of Nursing administrative office at least forty five (45) days prior to the next regularly scheduled Board meeting.

Requests which are received less than forty five (45) days before an upcoming Board meeting will not be considered until the subsequent regularly scheduled Board meeting.

The Board adopts this policy in order to ensure that there is sufficient time for staff to research and draft proposed advisory private letter rulings.

In order for the Board to form the advisory opinion, the licensed nurse must provide the following information prior to the forty-five day deadline:

- 1. Existing literature and research**
- 2. Information on Standard of Care in the community; local, regional or national**
- 3. Statements and opinions of professional groups**
- 4. Information about necessary education or training**
- 5. Description of decision making tree (pg....) inadequacy and**
- 6. Position statements or information from other Boards of Nursing**

The form on the following page must be attached to the supportive documentation.

Adopted September 27, 2007

Reformatted and Reaffirmed February 18, 2009
Reaffirmed February 15, 2012

Board of Nursing
Request for Advisory Opinion

Date_____

Licensee's Name:

Licensee's Address:

Telephone Number: ()_____

License Number_____

1. The specific question or issue for which the ruling is requested:

2. The fact that gave rise to the specific question or issue:

3. The specific statutes and/or rules which are applicable to the question or issue:

Licensee's Signature

Mail or Deliver to: Executive Director, Tennessee Board of Nursing
227 French Landing, Suite 300
Heritage Place, MetroCenter
Nashville, TN 37243